

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

D.R., as a minor through parent and
next friend Dawn Richardson, et al.,

Plaintiffs,

No. 16-cv-13694

vs.

Hon. Arthur J. Tarnow

Michigan Department of Education,
Genesee Intermediate School District,
and Flint Community Schools,

Mag. J. Anthony P. Patti

Defendants.

**STIPULATED ORDER APPROVING PARTIAL SETTLEMENT
AGREEMENT AND DISMISSING CHILD FIND CLAIMS WITH
PREJUDICE**

The parties in the above-captioned matter have entered an agreement that resolves Plaintiffs' pending motion for preliminary injunction (Dkt. # 62) and resolves the "child find" portion of this case. The parties have requested that this Court hold a hearing to review and approve the partial settlement agreement ("Agreement") (Dkt # 115-1). The Court held such a hearing in open court on April 12, 2018. The parties presented the terms of the Agreement and asked the Court to approve it. There were no objections placed on the record. Based on the terms of the Agreement and representations of the parties and this Court being fully advised on the premises, the Court finds that:

- (a) The Agreement is fair, reasonable, and adequate, consistent with the public interest, and in furtherance of the objectives of the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”), as amended, 20 U.S.C. § 1400 et seq., and its implementing regulations;
- (b) The Agreement is in each of the minor parties’ best interests;
- (c) In the Agreement, the parties have requested that the Court incorporate its terms by reference into this order and retain jurisdiction to enforce it; and
- (d) By incorporating the Agreement in full into this order, the Court retains jurisdiction to enforce the Agreement according to its terms. *202 N. Monroe, LLC v. Sower*, 850 F.3d 265, 270-71 (6th Cir. 2017).

Accordingly, IT IS HEREBY ORDERED that the Agreement (Dkt # 115-1) is APPROVED.

IT IS FURTHER ORDERED that the Agreement is incorporated in full into this Order.

IT IS FURTHER ORDERED that the Court retains jurisdiction to enforce the Agreement.

IT IS FURTHER ORDERED that Plaintiffs’ claim under Count 1, Systemic Violation 1, of Plaintiffs’ Complaint along with any other claims or allegations by Plaintiffs that Defendants have violated their “child find” obligations are dismissed with prejudice as to all Defendants.

IT IS FURTHER ORDERED that Plaintiffs’ motion for preliminary injunction (Dkt. # 62) is DENIED as moot.

IT IS SO ORDERED.

Dated: April 12, 2018

s/Arthur J. Tarnow

HON. ARTHUR J. TARNOW
UNITED STATES DISTRICT JUDGE

Stipulated and Agreed to by:

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